

SUPREME COURT OF ILLINOIS

COURT CONVENED AT 9:30 A.M., MONDAY, MARCH 15, 2004

THE FOLLOWING ANNOUNCEMENT IS MADE:

MISCELLANEOUS RECORD

M.R. 3140 - Adoption and Amendment of Supreme Court Rules.

Effective immediately, Supreme Court Rule 722 is amended.

THE FOLLOWING MOTIONS WERE PRESENTED TO THE COURT:

ADVISEMENT DOCKET

No. 93220 - John Beahringer, appellee, v. James H. Page et al., appellants.

Motion by appellant for an extension of time for filing response to appellee's motion for attorney's fees to and including March 15, 2004.

No. 97315 - Larry R. Wetzels, petitioner, v. Timothy Tolliver et al., respondents.

Motion by petitioner, pro se, to direct respondents to comply with Supreme Court Rule 219.

PEOPLE'S DOCKET

No. 92252 - People State of Illinois, appellee, v. Maurice King, appellant.

Motion by appellee to dismiss this appeal as moot.

No. 95201 - People State of Illinois, appellee, v. Marlon Watford, appellant.

Motion by appellee to transfer jurisdiction to the Appellate Court, Third District.

No. 96159 - People State of Illinois, appellee, v. Brian Roberson, appellant.

Motion by appellant for leave to file supplement to motion to dismiss appeal instant.

CIVIL DOCKET

No. 97172 - Harrisonville Telephone Company et al., appellees,
v. Illinois Commerce Commission, appellant.

Motion by appellant for leave to file
supplemental brief and appendix instant.

No. 97985 - Theophilus Green, petitioner, v. The Appellate
Court of Illinois, First District, et al., etc.,
respondents.

Motion by petitioner, pro se, to file all
documents under seal on all matters involving the
pending writ of mandamus and writ of prohibition.

No. 97994 - Wells Fargo Financial Acceptance etc., appellee,
v. Lynell M. Jones et al., appellants.

Motion by appellants, pro se, for stay of
proceedings and enforcement of the judgment
granted to appellee pending disposition of appeal
in the Appellate Court.

No. 98016 - Lucius Swilley et al., movants, v. Hon. Aaron
Jaffe, Judge of the Circuit Court of Cook County,
et al., etc., respondents.

Motion by movants for a supervisory order.

LEAVE TO APPEAL DOCKET

No. 97481 - Lula Hobbs, respondent, v. Hartford Insurance
Company of the Midwest, etc., petitioner.

Motion by petitioner for leave to substitute the
law firm of Cutler & Hull for the law firm of
Hinshaw & Culbertson.

No. 97837 - Dr. Joseph K. Gerwin et al., respondents, v.
Livingston County Board etc., et al. (American
Disposal Services of Illinois, petitioner).

Motion by petitioner for leave to consolidate
petition for leave to appeal in case No. 97826,
Gerwin v. Livingston County Board, with this
cause.

No. 98006 - In re Kelsey K., a Minor (JoAnn Weidner-Kasheimer, petitioner, v. Amy Brummitt, respondent).

Motion by petitioner, pro se, for an extension of time to and including April 30, 2004, for filing petition for leave to appeal or appeal as a matter of right.

MISCELLANEOUS RECORD

M.R.19079 - In re: Diane Elaine Greanias. Disciplinary Commission.

Petition by Diane Elaine Greanias to declare order of attorney discipline void.

Motion by Diane Elaine Greanias for leave to file instanter affidavit of compliance pursuant to Supreme Court Rule 764.

Motion by Diane Elizabeth Greanias for leave to amend petition to declare order of attorney discipline void.

M.R.19351 - In re: Jennifer Dawn Kambak, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Jennifer Dawn Kambak to Jennifer D. Bransfield.

M.R.19352 - In re: Julie Beth Cox, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Julie Beth Cox to Julie B. Hovermale.

M.R.19353 - In re: Erin Suzanne Davis, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Erin Suzanne Davis to Erin Davis Shedd.

M.R.19354 - In re: Erika Ann Swanson, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Erika Ann Swanson to Erika A. Alley.

M.R.19355 - In re: Orgena Metrice Lewis, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Orgena Metrice
Lewis to Orgena Lewis Singleton.

M.R.19358 - In re: P. Michelle Koo, an attorney, petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from P. Michelle Koo to
P. Michelle Jacobson.

M.R.19359 - In re: Trene Suzanne Lacy, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Trene Suzanne Lacy
to Trene Pinnell Anderson.

M.R.19360 - In re: Elmore, DeMichael, Ashack & Daudish, a
Professional Corporation, movant.

Motion by movant for retroactive renewal of
registration pursuant to Supreme Court Rule 721.

SUPREME COURT OF ILLINOIS

MONDAY, MARCH 15, 2004

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.19254 - In re: Robert P. Ritacca. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Robert P. Ritacca is suspended from the practice of law for one (1) year and until further order of the Court, with the suspension entirely stayed and respondent placed on probation for a period of one (1) year subject to the following conditions:

- a. Respondent shall attend meetings scheduled by the Commission probation officer as requested by the Administrator. Respondent shall submit quarterly written reports to the Administrator concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;
- b. Respondent shall notify the Administrator within fourteen (14) days of any change of address;
- c. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigation relating to his conduct;
- d. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation;
- e. Respondent shall continue with his course of medical treatment with Doctors Grujic and Grober (his treating neurologist and rheumatologist), or other such qualified medical professionals;
- f. Respondent shall follow the treatment recommendations made by Dr. Mercury in regards to his most recent neuropsychological evaluations;

g. Respondent shall sign the necessary releases to allow his treating physicians to: (1) disclose to the Administrator on at least a quarterly basis information pertaining to the nature of respondent's compliance with his treatment plan; (2) report on respondent's condition in regard to the status of his cerebral vasculitis; (3) promptly report to the Administrator respondent's failure to follow his treatment plan; and (4) respond to any inquiries from the Administrator regarding respondent's prognosis in relation to his cerebral vasculitis;

h. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The suspension for one (1) year and until further order of the Court shall commence from the date of the determination that any term of probation has been violated.

Respondent Robert P. Ritacca shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.

M.R.19255 - In re: Reid Scott Neuman. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Reid Scott Neuman is disbarred.

Order entered by the Court.

M.R.19264 - In re: Bill J. Milner. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Bill J. Milner is suspended from the practice of law for three (3) months and until further order of the Court, with the suspension entirely stayed and respondent placed on probation for two (2) years subject to the following conditions:

a. Respondent shall abstain from alcohol and all unprescribed controlled substances;

b. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

c. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation;

d. Respondent shall, upon request by the Administrator, submit to random substance testing by a mental health professional or facility approved by the Administrator, within eight (8) hours of receiving notice by the Administrator that he shall submit to the testing. The results of the tests shall be reported to the Administrator. Respondent shall pay any and all costs of such testing;

e. Respondent shall continue to participate in Alcoholics Anonymous or other 12-step program approved by the Administrator by attending at least three (3) meetings per week. Respondent is to maintain a log of his attendance at the meetings and submit it to the Administrator with his quarterly reports;

f. Respondent shall maintain a sponsor in the 12-step or Alcoholics Anonymous program during the period of probation. Respondent shall provide the name, address and telephone number of the sponsor to the Administrator within fourteen (14) days of being placed on probation. Respondent shall request that the sponsor communicate with the Administrator in writing on a quarterly basis regarding respondent's participation and progress in the 12-step program;

g. During the period of probation, respondent shall remain under the care of a licensed psychiatrist familiar with addiction issues and issues arising from potential mood symptoms which might arise from anti-depressants;

h. Respondent shall report any lapses in sobriety or usage of unprescribed controlled substances to the Administrator within seventy-two (72) hours of that usage;

i. Respondent shall keep the Administrator informed of his current course of treatment, his attendance, and any change in the course of treatment;

j. Respondent shall provide to his treating psychiatrist an appropriate release as required under the Confidentiality Act of the Mental Health Code, 740 ILCS 110/1 et seq., authorizing the treating professional to: (1) disclose to the Administrator on at least a quarterly basis information pertaining to the nature of respondent's condition; (2) promptly report to the Administrator respondent's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding respondent's mental or emotional state or compliance with any established treatment plans;

k. Respondent shall notify the Administrator within fourteen (14) days of any change in treatment professionals; and

l. Probation shall be revoked if respondent is found to have violated any of the terms of his disciplinary probation. The period of suspension shall commence from the date of the determination that any condition of probation has been violated and shall continue until further order of the Court.

Respondent Bill J. Milner shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.

M.R.19281 - In re: Rodney Lane Harrison. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed. Respondent Rodney Lane Harrison is suspended from the practice of law for one (1) year and until further order of the Court, with the suspension entirely stayed and respondent placed on probation for five (5) years subject to the following conditions:

a. Respondent shall abstain from the usage of alcohol and any unprescribed controlled substances;

b. Respondent shall commence within the first thirty (30) days of probation, and thereafter comply with, the course of treatment recommended by a qualified mental health professional acceptable to the Administrator, including the taking of medications as prescribed;

c. Respondent shall keep the Administrator informed of his current course of treatment, his attendance, and any change in the course of treatment;

d. Respondent shall provide to the qualified mental health professional an appropriate release, authorizing the treating professional to: (1) disclose to the Administrator on at least a quarterly basis information pertaining to the nature of respondent's compliance with any treatment plan established with respect to respondent's condition; (2) promptly report to the Administrator respondent's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding respondent's mental or emotional state or compliance with any established treatment plans;

e. Respondent shall notify the Administrator within fourteen (14) days of any change in treatment professionals;

f. Respondent shall, upon request by the Administrator, submit to random substance testing by a mental health professional or facility approved by the Administrator, within eight (8) hours of receiving notice by the Administrator that he shall submit to the testing. The results of the tests shall be reported to the Administrator. Respondent shall pay any and all costs of such testing;

g. Respondent shall participate in Alcoholics Anonymous by attending at least two meetings a week, and maintain a log of his attendance at the meetings and submit it to the Administrator with his quarterly reports;

h. Respondent shall maintain a sponsor in the 12-step program and shall provide the name, address and telephone number of the sponsor to the Administrator within fourteen (14) days of being placed on probation. Respondent shall request that the sponsor communicate with the Administrator in writing on a quarterly basis regarding respondent's participation and progress in the 12-step program and report any lapses in sobriety or usage of unprescribed controlled substances to the Administrator within 72 hours of his knowledge of that usage;

i. Respondent shall report to the Administrator any lapse in his sobriety or usage of any unprescribed controlled substances within 72 hours of that usage;

j. Respondent shall attend and successfully complete the course conducted by the Illinois Professional Responsibility Institute within the first twelve (12) months of his probation;

k. Respondent's practice of law shall be supervised by a licensed attorney acceptable to the Administrator. Respondent shall notify the Administrator of the names and addresses of any attorneys with whom he establishes a supervisory relationship, and shall provide notice of any change in supervising attorneys within fourteen (14) days of the change. Respondent shall authorize the supervising attorney to provide a report in writing to the Administrator no less than every six (6) months, regarding the nature of respondent's work, the number of cases being handled by respondent and the supervisor's general appraisal of respondent's continued fitness to practice law;

l. Respondent shall attend meetings scheduled by the Commission probation officer as requested by the Administrator. Respondent shall submit quarterly written reports to the Administrator concerning the extent of his compliance with the conditions of probation;

m. Respondent shall notify the Administrator within fourteen (14) days of any change of address;

n. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigation relating to his conduct;

o. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation;

p. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct;

q. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remainder of the one (1) year period of suspension shall commence from the date of the determination that any term of probation has been violated and shall continue until further order of the Court; and

r. If respondent successfully completes the term of his probation, the probation shall terminate without further order of the Court.

Order entered by the Court.

M.R.19291 - In re: William James Hogan. Disciplinary Commission.

The motion by William James Hogan to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

M.R.19300 - In re: Philip Charles Horn. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Philip Charles Horn is suspended from the practice of law for two (2) years and until further order of the Court.

Order entered by the Court.

M.R.19304 - In re: Clarence Sylvester Wilson, Jr.
Disciplinary Commission.

The motion by movant Clarence Sylvester Wilson, Jr. to transfer to disability inactive status pursuant to Supreme Court Rule 758 is allowed, and movant is transferred to disability inactive status until further order of the Court.

Order entered by the Court.

M.R.19316 - In re: Robert J. Emery. Disciplinary Commission.

The motion by Robert J. Emery to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.